
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 278

**The Health Protection (Coronavirus)
(International Travel etc.) (Miscellaneous
Amendments) (Scotland) (No. 7) Regulations 2021**

Amendment of the Health Protection (Coronavirus) (Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021

10.—(1) The Health Protection (Coronavirus) (Pre-Departure Testing and Operator Liability) (Scotland) Regulations 2021⁽¹⁾ are amended in accordance with this regulation.

(2) In regulation 6 (requirement to ensure passengers have completed a Passenger Locator Form)

(a) for paragraph (1) substitute—

“(1) An operator must ensure that—

- (a) a passenger who arrives at a port in Scotland on a relevant service has completed a Passenger Locator Form,
- (b) a passenger possesses evidence that they are a person described in a paragraph of schedule 2 of the International Travel Regulations (persons not required to comply with regulations 3, 5A or 5D to 6B), where they have indicated on the Passenger Locator Form that they are such a person.

(1ZA) Paragraph (1)(b) does not apply in relation to a person described in paragraph 7 of schedule 2 of the International Travel Regulations (road haulage worker), who is the driver of a goods vehicle that has been or will be conveyed to Scotland on the relevant service.”,

(b) omit paragraph (1D)⁽²⁾,

(c) in paragraph (4)(a)⁽³⁾, for “(3)(b) or” substitute “(2)(ca), (3)(b), (3A)(b) and (d) or”.

(3) In regulation 8 (offences), for paragraph (3) substitute—

“(3) In relation to the offence in paragraph (1)(a), it is a defence—

- (a) for an operator alleged to have failed to ensure that a passenger has completed a Passenger Locator Form, to show that they recorded a unique passenger reference number for the relevant passenger before that passenger boarded the relevant service, or
- (b) for an operator alleged to have failed to ensure that a passenger possesses evidence of eligibility for an exemption claimed in a Passenger Locator Form, to show that the passenger presented a document purporting to be appropriate evidence which the operator, or a person acting on behalf of the operator, could not reasonably have been expected to know was not appropriate evidence, before that passenger boarded the relevant service.”.

⁽¹⁾ [S.S.I. 2021/20](#), last amended by [S.S.I. 2021/264](#).

⁽²⁾ Paragraph (1D) was inserted by [S.S.I. 2021/265](#).

⁽³⁾ Regulation 6(4) was inserted by [S.S.I. 2021/264](#).

- (4) In regulation 9(1A) (extra-territorial jurisdiction)(4)—
- (a) for “or 6(1B)” substitute “, 6(1B) or 6(1C)”,
 - (b) for “either” substitute “any”.